

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

DIAMOND CENTER, INC and DIAMOND
DEALERS CLUB, INC.

Defendants.

**USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 11-30-20**

20-MC-483 (RA)

ORDER TERMINATING FINAL
JUDGMENT

RONNIE ABRAMS, United States District Judge:

WHEREAS, the Court having received the motion of Plaintiff United States of America for termination of the final judgment entered in the above-captioned case, and the Court having considered all papers filed in connection with this motion;

WHEREAS, Federal Rule of Civil Procedure 60(b)(5) provides that “[o]n a motion and just terms, the court may relieve a party . . . from a final judgment . . . [when] applying it prospectively is no longer equitable.” Fed. R. Civ. P. 60(b)(5);

WHEREAS, one of the two corporate defendants no longer exists and the other does not object to this motion. *See* Dkt. 1 Ex. 1 at 1 n.1;

WHEREAS, the United States has provided adequate notice to the public regarding its intent to seek termination of the judgment. *See id.* at 3;

WHEREAS, based on the foregoing, the Court deems that terminating the antitrust judgment is consistent with the public interest. *United States v. American Cyanamid Co.*, 719 F.2d 558, 564–65 (2d Cir. 1983), *cert. denied*, 465 U.S. 1101 (1984) (allowing consensual termination of antitrust decrees only upon a court’s determination that termination will serve the “public interest”).

It is hereby:

ORDERED, ADJUDGED, AND DECREED: That said final judgment is hereby terminated.

The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: November 30, 2020
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written above a horizontal line.

RONNIE ABRAMS
United States District Judge